



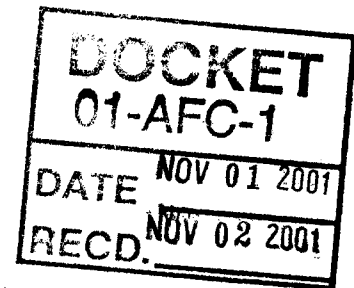
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November 1, 2001

VIA FEDERAL EXPRESS

Docket Unit
Attn: Docket No. 01-AFC-1
California Energy Commission
1516 Ninth Street, MS 4
Sacramento, CA 95814



Re: Rio Linda/Elverta Power Project (01-AFC-1)
Applicant's Status Report, Number 5

To Whom It May Concern:

Enclosed is the original Applicant's Status Report, Number 5, with original signature and 12 copies for internal distribution. We filed the document electronically on November 2 at approximately 9:15 a.m.

Very truly yours,

Anthonie M. Fang,

Secretary to Jocelyn Thompson
WESTON, BENSHOOF,
ROCHEFORT, RUBALCAVA & MacCUISH LLP

amf/
Enclosures

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FPL Energy Sacramento Power, LLC

STATE OF CALIFORNIA

**Energy Resources Conservation
And Development Commission**

In the Matter of:

APPLICATION FOR CERTIFICATION
FOR THE FPL ENERGY SACRAMENTO
POWER, LLC RIO LINDA/ELVERTA
POWER PROJECT (RIO LINDA)

) Docket No. 01-AFC-1

) APPLICANT'S STATUS REPORT,
NUMBER 5

The Rio Linda/Elverta Power Project Committee's September 18, 2001 **Committee Order Suspending Scheduling** directed the parties to continue to file monthly status reports until the Committee directs otherwise. The following is the Applicant's progress during the month of October 2001, since the filing of Applicant's Status Report Number 4.

Data Requests

Applicant continues to prepare responses to the Staff's second round of data requests (numbered 92-234). In many cases, the information responsive to the

second round of data requests also is relevant to and will be included in the AFC supplement. In such cases, the data responses will reference the relevant portion of the supplement. Due to the overlap, Applicant intends to submit the data responses promptly following submission of the AFC supplement. Specifically, Applicant anticipates submitting responses to the data requests in early to mid-December.

On September 10, 2001, Applicant filed objections to several of the data requests. The Committee Order Suspending Scheduling stated that the Committee expected that “these objections will be resolved through workshops and consultations between the parties short of any specific action by the Committee.” *See* Committee Order at 1 n.1. Subsequently, on September 26, 2001, Staff filed a Motion to Compel Responses to Staff Data Requests relating to requests 157 and 158. (In this same filing, Staff withdrew data request 156.) Counsel for Applicant and Staff discussed the motion, and both understand that there will be no decision on the motion during suspension. Either the matter will be resolved through the AFC supplement, the responses to the data requests, and consultations between the parties, or if these are not successful, then it will be briefed and considered by the Committee after the processing of the AFC is reinstated.

Finally, on October 9, 2001, Staff advised Applicant that it was withdrawing data request 113 regarding alternative sites.

AFC Supplement

Applicant continues to prepare its AFC Supplement. The supplement will address the concerns identified by Staff in the Data Response Workshop for data requests 1 through 91 (i.e., plume abatement of the cooling tower, visual impacts relating to the turbine hall, noise impacts at certain residences, and water supply), as well as the interconnection configuration preferred by the Western Area Power Administration. Applicant anticipates submitting the supplement to the AFC in early December 2001.

Preliminary Determination of Compliance


Currently, the rules of the Sacramento Metropolitan Air Quality Management District (SMAQMD) are somewhat unique in requiring new emissions to be offset quarter by quarter by emission reduction credits (ERCs) created in the same calendar quarter. Proposed amendments to the District' Rule 202 would allow ERCs from the second and third calendar quarters to be used interchangeably. Applicant had expected that this change in Rule 202 would be in place prior to the issuance of the PDOC. The amendments had been scheduled to be considered by the District Board on October 25, 2001. This date has been postponed to January 2002. Applicant anticipates that the PDOC will be issued thereafter. The PDOC may be issued sooner if Applicant obtains sufficient additional ERCs so that it does not need to rely on the amendments to Rule 202.

Sacramento County Hearings

Applicant continues to work with the County of Sacramento regarding consistency with the County's current zoning, a zoning agreement, the Rio Linda/Elverta Community Plan, and the County's General Plan. At a hearing before the County Board of Supervisors on August 29, 2001, the Board heard presentations and testimony the County Planning and Community Development Department and County Counsel's Office, CEC staff, the CPAC, the Applicant and the public. The hearing was continued to October 3, 2001, and then to November 20, 2001. It is expected that the County Board of Supervisors will render a decision on November 20, 2001 regarding consistency with the zoning, zoning agreement, General Plan and Community Plan.

DATED: November 1, 2001

Respectfully Submitted,


Jocelyn Thompson
Attorney for Applicant
FPL Energy Sacramento Power, LLC

STATE OF CALIFORNIA

Energy Resources Conservation
and Development Commission

In the Matter of:

Docket No. 01-AFC-1

Application for Certification for the
FPLE Energy Sacramento Power, LLC
RIO LINDA/ELVERTA POWER
Project (RLEPP)

PROOF OF SERVICE

I, Anthonie Fang, declare that on November 1, 2001, I served a copy of the attached APPLICANT'S STATUS REPORT, NUMBER 5 electronically and by Federal Express by depositing such envelope in a facility regularly maintained by Federal Express with delivery fees fully provided for or delivered the envelope to a courier or driver of Federal Express authorized to receive documents at Weston, Benshoof, Rochefort, Rubalcava & MacCuish LLP, 333 South Hope Street, 16th Floor, Los Angeles, California 90071 with delivery fees fully provided for and addressed to the following:

DOCKET UNIT

Send the original signed document plus the required 12 copies to the address below:

CALIFORNIA ENERGY COMMISSION
DOCKET UNIT, MS-4
Attn: Docket No. 01-AFC-1
1516 Ninth Street
Sacramento, CA 95814-5512

* * * *

In addition to the document served to the Commission Docket Unit, I also served individual copies of the same document by First Class Mail enclosing the document in a sealed envelope on the following parties. I am "readily familiar" with this firm's practice for the collection and the processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, the correspondence would be deposited with the United States Postal Service at 333 South Hope Street, 16th Floor, Los Angeles, California 90071 with postage thereon fully prepaid the same day on which the correspondence was placed for collection and mailing at the firm. Following ordinary business practices, I placed for collection and mailing with the United States Postal Service such envelope at Weston, Benshoof, Rochefort, Rubalcava & MacCuish LLP, 333 South Hope Street, 16th Floor, Los Angeles, California 90071.

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I declare under penalty of perjury that the foregoing is true and correct.
Executed this 1st day of November, 2001 at Los Angeles, California.


Anthonie Fang